

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

STEVEN T. VETTERS, INDIVIDUALLY \*  
AND AS REPRESENTATIVE OF THE \*  
ESTATE OF SHARON G. VETTERS, \*  
DECEASED, AND FOR AND ON BEHALF \*  
OF ALL THOSE ENTITLED TO RECOVER \*  
FOR THE DEATH OF SHARON G. \*  
VETTERS UNDER THE TEXAS \*  
WRONGFUL DEATH AND SURVIVAL \*  
STATUTES, ERIN VETTERS RUEL, \*  
STEVEN B. VETTERS, JOHN W. \*  
STOCKTON, AND HAZEL L. STOCKTON,\*  
Plaintiffs,

CIVIL ACTION NO. 05-3

V. \*

DAIMLERCHRYSLER CORPORATION \*

Defendant. \*

JURY (DEMANDED)

**PLAINTIFFS STEVEN T. VETTERS, INDIVIDUALLY AND AS  
REPRESENTATIVE OF THE ESTATE OF SHARON G. VETTERS, DECEASED,  
AND FOR AND ON BEHALF OF ALL THOSE ENTITLED TO RECOVER FOR THE  
DEATH OF SHARON G. VETTERS UNDER THE TEXAS WRONGFUL DEATH  
AND SURVIVAL STATUTES, ERIN VETTERS RUEL, STEVEN B. VETTERS,  
JOHN W. STOCKTON AND HAZEL L. STOCKTON,  
SUPPLEMENTAL DESIGNATION OF EXPERTS**

COMES NOW, Plaintiffs Steven T. Vettters, Individually and as Representative of the Estate of Sharon G. Vettters, Deceased, and for and on behalf of all those entitled to recover for the death of Sharon G. Vettters under the Texas Wrongful Death and Survival Statutes, Erin Vettters Ruel, Steven B. Vettters, John W. Stockton and Hazel L. Stockton, Plaintiffs in the above-styled and numbered cause and files this their Plaintiffs' Supplemental Designation of Expert Witnesses:

## I. RETAINED EXPERTS

Plaintiffs designate the following testifying experts. Pursuant to the Federal Rules of Civil Procedure, expert reports and related materials are not being filed with the court, but are attached to the designation served upon the parties to this action.

Name:	James Lock
	Collision Research Associates
Address:	2700 Earl Rudder Freeway South
	Suite 4500
	College Station, Texas 77845
Phone:	(979) 696-6531

James Lock is an accident reconstructionist who will testify regarding how the accident in question occurred. It is anticipated that Mr. Lock will offer opinions regarding his qualifications, education, training and experience as an accident reconstructionist. Facts known to him are those acquired through his review of documents obtained and reviewed in this case, his visit to the scene and deposition testimony. The basis of his opinions, impressions and conclusions will be his knowledge, training, education and experience as well as his review of referenced materials. Mr. Lock will testify regarding movement of the vehicle and the location and movement of Mrs. Vettters. Mr. Lock may also offer testimony regarding scientific, or related literature he considers to be reliable authority in the area or issues involved in this case. For additional subject areas in which Mr. Lock is expected to testify, Plaintiff refers Defendant to Mr. Lock's deposition which Plaintiffs anticipate will be taken in this as well as the written report #1527-003801/3807 prepared by Mr. Lock previously produced. Furthermore, it is expected this expert will testify consistent with depositions given in this matter. The expert's file is available for inspection and copying at a mutually agreeable time and place.

Incorporated in Mr. Lock's report are Mr. Lock's Curriculum Vitae #1527-003808/3817, Fee Schedule #1527-001502 and Testimony List #1527-001505/1524. Additionally, Plaintiffs incorporate all future reports and deposition provided by Mr. Lock as if set forth fully herein.

Name:	John Stilson
	Stilson Consulting
Address:	18544 Old Gages Lake Road
	Grayslake, IL 60030
Phone:	(847) 223-3101

John Stilson is an engineer who will testify regarding defective nature of the 2002 Dodge Durango in question. It is anticipated that Mr. Stilson will offer opinions regarding his qualifications, education, training and experience as an engineer. Facts known to him are those acquired through his review of documents obtained and reviewed in this case and deposition testimony. The basis of his opinions, impressions and conclusions will be his knowledge, training, education and experience as well as his review of referenced materials. It is anticipated that Mr. Stilson will testify generally regarding issues raised in his report including, but not limited to, defects in the transmission, transmission shifting system and the brake-shift interlock. Mr. Stilson may also offer testimony regarding scientific, or related literature he considers to be reliable authority in the area or issues involved in this case. For additional subject areas in which Mr. Stilson is expected to testify, Plaintiff refers Defendant to Mr. Stilson's deposition which Plaintiffs anticipate will be taken in this as well as the written report #1527-003818/3832 prepared by Mr. Stilson previously produced. Furthermore, it is expected this expert will testify consistent with depositions given in this matter. The expert's file is available for inspection and copying at a mutually agreeable time and place.

Incorporated in Mr. Stilson's report are Mr. Stilson's Curriculum Vitae #1527-003833/3845, Fee Schedule #1527-003846 and Testimony List #1527-003847/3851. Additionally, Plaintiffs incorporate all future reports and deposition provided by Mr. Stilson as if set forth fully herein.

Name: Stephen Horner, Ph.D.  
Address: 615 Upper N. Broadway, Suite 1600  
Corpus Christi, Texas 78403  
Phone: (361) 883-1686

Stephen Horner is an economist who will testify regarding Plaintiff's economic damages. It is anticipated that Dr. Horner will offer opinions regarding his qualifications, education and experience as an economist. It is anticipated that Dr. Horner will testify regarding the economic losses suffered by Plaintiffs. Facts known to him are those acquired through his review of the pertinent financial and medical records involved along with the deposition testimony. The basis of his opinions, impressions and conclusions will be his knowledge, training, education and experience as an economist, as well as his review of the referenced materials. Furthermore, it is expected this expert will testify consistent with depositions given in this matter. A copy of Dr. Horner's report #1527-003770/3773 has been previously produced. The expert's file is available for inspection and copying at a mutually agreeable time and place. Additionally, Plaintiffs have attached a copy of Dr. Horner's supplemental report #1527-004371/4394 and Dr. Horner's PowerPoint presentation regarding the net worth of DaimlerChrysler Corporation, #1527-003919/3934.

Incorporated in Dr. Horner's report are Dr. Horner's curriculum vitae #1527-001525, Fee Schedule #1527-001526 and Deposition and Trial Testimony #1527-001527/1528. Additionally, Plaintiffs incorporate all future reports and deposition provided by Dr. Horner as if set forth fully herein.

## **II. CONSULTING EXPERTS**

Name: Gerald Rosenbluth  
Address: Automotive Consulting Services  
4747 S Lakeshore Dr Ste 101  
Tempe, AZ 85282  
Phone: (480) 456-3734

Mr. Rosenbluth is a consulting expert. His models and materials have been reviewed and relied upon by John Stilson, including safer alternative designs and all topics addressed in his deposition.

## **III. ADDITIONAL HEALTHCARE PROVIDERS**

Plaintiffs further designate the following medical treating personnel as individuals and/or entities having knowledge of facts and having opinions that constitute expert opinions concerning the matters involved in this case. These experts are not retained by Plaintiffs and have not submitted curriculum vitas or prepared reports for Plaintiffs' counsel separate from their respective medical records. Plaintiffs have properly produced and will continue to produce medical records to Defendants in accordance with the Federal Rules of Civil Procedure. In addition, when requested, Plaintiffs have executed medical releases for defense counsel. It is anticipated that these healthcare providers based on their medical knowledge, training and experience may render expert opinion regarding the care and treatment rendered to Plaintiff and may also render expert opinions regarding the standard care provided to plaintiffs.

Javier Alfonso, M.D.  
and/or employees, agents and/or custodian of records  
613 Elizabeth, Suite 703  
Corpus Christi, TX 78404-2231  
(361) 991-6611

Kirby Barker, M.D.  
and/or employees, agents and/or custodian of records  
Corpus Christi Cancer Center  
1625 Rodd Field Rd  
Corpus Christi, TX 78412-4926  
(361) 993-3456  
Oncologist

Catherine Bussieres, MD  
and/or its employees, agents and/or custodian of records  
Longevity & Wellness Ctr-S. Tx  
3301 S Alameda St # 100  
Corpus Christi, TX 78411  
(361) 225-0800

Christus Spohn Hospital Memorial  
and/or its employees, agents and/or custodian of records  
Alexander Aitken, M.D.  
Javier Alfonso, M.D. (consultant – cardiothoracic surgeon)  
James Arnold (anesthesiologist)  
Matthew J. Ficenec, M.D. (surgeon)  
Patricia Gallagher, M.D.  
Parina Gupta, M.D.  
Anthony N. Hein, M.D. (radiology)  
Paul Hirvasoja, MMC ICU Trauma Dept.  
David L. Johnson, M.D. (attending physician)  
Kathryn Kirkland, M.D.  
Jon T. Watson, M.D. (radiology)  
Dr. Rivera (plastic surgeon)  
Welsey C. Williams, II, M.D.  
2606 Hospital Blvd.  
Corpus Christi, TX 78405  
(361) 902-4000  
(361) 902-4236 – MMC ICU Trauma Dept.

City of Corpus Christi EMS  
Corpus Christi Fire Department  
and/or its employees, agents and/or custodian of records, including  
Michael A. Hernandez, Lead EMT-P (ID No. 137)  
Mikal Stuive, Driver (ID No. 375)  
Gabriel Martinez, Third Medic (ID No. 153)  
Jack D. Arnold, Cadet (ID No. 7527)

Corpus Christi, TX  
(361) 852-2773

Clinical Partners, P.A.  
and/or its employees, agents and / or custodian of records, including  
David Simon, CRNA  
211 E. Tyler  
Longview, TX 75601  
(866) 902-4406  
Medical services provided at Christus Spohn Memorial Hospital

Catherine Dulak, M.D.  
and/or its employees, agents and / or custodian of records, including  
5920 Saratoga Blvd # 200,  
Corpus Christi, TX 78414  
(361) 994-5454  
Gynecologist

Executive Medical Clinic  
and/or its employees, agents and / or custodian of records, including  
William Burgin, M.D.  
2601 Hospital Blvd., Suite 117  
Corpus Christi, TX 78405  
(361) 884-8209

Linda Keene, Lmsw-Acp  
and/or its employees, agents and / or custodian of records,  
3303 Fm 1960 Road West  
Houston, TX 77068  
(281) 357-1867  
Counselor for Erin Vettors Ruel

Memorial Pathology Group c/o Per-Se Technologies  
and/or its employees, agents and / or custodian of records  
Wilwec Williams, II, M.D.  
2300 Highway 365  
Suite 230  
Nederland, TX 77627  
(409) 724-6095

Nueces County Medical Examiner  
and/or its employees, agents and / or custodian of records, including  
Ray Fernandez, Chief Medical Examiner  
2610 Hospital Blvd.  
Corpus Christi, TX 78405  
(361) 884-4994  
Performed autopsy

Minh V Nguyen, MD  
and/or its employees, agents and/or custodian of records, including  
Thomas Spann Clinic  
7121 S Padre Island Dr # 300  
Corpus Christi, TX 78412  
(361) 696-6142  
Family Doctor

Nathan Pierce  
and/or Custodian of Records, employees, agents representatives  
5934 S. Staples  
Corpus Christi, TX 78413  
(361) 994-0387  
Counselor for Steven B. Vettters

Radiology & Imaging of South Texas d/b/a Alameda Imaging  
and/or its employees, agents and/or custodian of records  
3326 S. Alameda  
Corpus Christi, TX 78404  
(361) 888-6684

Seaside Memorial Park and Funeral Home  
and/or its employees, agents and/or custodian of records, including  
Norman Gonzalez  
4357 Ocean Drive  
Corpus Christi, TX 78412  
(361) 992-9411

Colleen Walker-Treviño, M.D.  
and/or its employees, agents and/or custodian of records, including  
South Texas Adult Medicine Associates  
601 Texan Trail  
Suite 209  
Corpus Christi, TX 78411  
(361) 225-2255

#### **IV. NON-RETAINED EXPERTS**

Ruben Alberto Aceves  
6710 Pintail Dr.  
Corpus Christi, TX 78413  
(361) 774-6319  
Neighbor/Witness

Carolyn Atherton  
101 Carver Street  
Apt. 8102  
Waco, TX 76704  
(254) 750-8400  
Witness

Amey's Towing  
3918 Bratton  
Corpus Christi, Texas 78413  
(361) 852-9900  
Towed subject vehicle from accident scene

City of Corpus Christi Impound Yard  
2600 Holly Road  
Corpus Christi, TX 78415  
(361) 826-1996  
Stored subject vehicle immediately after the accident  
William Murray  
6706 Pintail  
Corpus Christi, TX 78413  
(361) 991-0680  
Neighbor

Corpus Christi Police Department  
and/or its employees, agents and/or custodian of records, including  
Records Department personnel,  
S. Wyatt, #1261, Unit 5521 and other officers/agents of the CCPD Identification  
Division who participated the identification of the incident scene  
Mike Peña ID#0535, Investigating Officer  
321 John Sartain St.  
Corpus Christi, TX 78401  
(361) 886-2688  
Investigated Accident

## V. CROSS-DESIGNATION OF EXPERTS

Plaintiffs also reserve the right to call for direct or cross-examination any one or more persons named by Defendants as expert witnesses in this case. By so designating, Plaintiffs do not necessarily attest to their truth, veracity or qualifications of those persons identified. Rather, Plaintiffs so identify potential expert witnesses whose knowledge of facts or circumstances directly or indirectly related to this case may, of necessity and substance, require the expressions of expert opinions.

## **VI. REBUTTAL WITNESSES**

Plaintiffs reserve the right to call undesignated rebuttal expert witnesses, whose testimony cannot reasonably be foreseen until the presentation of the evidence against this Plaintiff. Further, Plaintiffs reserve the right to elicit any expert opinion or lay opinion testimony at the time of trial which would be truthful, which would be of benefit to the jury to determine material issues of fact, and which would not be violative of any existing Court Order or the Federal Rules of Civil Procedure and/or the Federal Rules of Evidence.

## **VII. RIGHT TO WITHDRAW**

Plaintiffs reserve the right to withdraw the designation of any expert and to aver positively that any such previously designated expert will not be called as a witness at trial, and to redesignate same as a consulting expert, who cannot be called by opposing counsel.

## **VIII. SUPPLEMENTAL DESIGNATIONS**

Plaintiffs reserve the right to supplement this designation with additional designations of experts within the time limits imposed by the Court or any alterations of same by subsequent Court Order or agreement of the parties, or pursuant to the Texas Rules of Civil Procedure and/or the Federal Rules of Evidence.

## **VIII. DEFENDANTS' EXPERTS**

Without conceding that Defendants' witnesses are qualified as experts to testify in this case or that their opinions are relevant, Plaintiffs may elicit testimony from any and all individuals designated by Defendants within their alleged area of expertise or knowledge of relevant facts.

Respectfully submitted,

By: /s/ Craig M. Sico  
Craig M. Sico  
State Bar I.D. No. 18339850  
Federal I.D. No. 13540  
SICO, WHITE & BRAUGH, L.L.P.  
900 Frost Bank Plaza  
802 N. Carancahua  
Corpus Christi, Texas 78470  
Phone: (361) 653-3300  
Fax: (361) 653-3333

ATTORNEY-IN-CHARGE  
FOR THE PLAINTIFFS

OF COUNSEL:

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State Bar No. 00789722  
Federal I.D. No. 22400  
Roger S. Braugh, Jr.  
State Bar No. 00796244  
Federal I.D. No. 21326  
Laurence Matthew Dotin  
State Bar No. 00796481  
SICO, WHITE & BRAUGH, L.L.P.  
900 Frost Bank Plaza  
802 N. Carancahua  
Corpus Christi, Texas 78470  
Phone: 361/653-3300  
Fax: 361/653-3333

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing instrument was served on all counsel in compliance with the Federal Rules of Civil Procedure on this the 19<sup>th</sup> day of October, 2005.

/s/ Craig M. Sico  
Craig M. Sico

G. Robert Sonnier  
Pamela J. McClain  
**CLARK, THOMAS & WINTERS, P.C.**  
P.O. Box 1148  
Austin, TX 78767

**C.M.R.R.#7005 0390 0005 5797 9136**